

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO CONVERT AN EXISTING DETACHED GARAGE INTO A GUEST COTTAGE IN THE R-1AA (SINGLE-FAMILY RESIDENTIAL DISTRICT); (LILI-ANN HACKETT-RALPH, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 10-27-03 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO CONVERT AN EXISTING DETACHED GARAGE INTO A GUEST COTTAGE IN THE R-1AA (SINGLE-FAMILY RESIDENTIAL DISTRICT); (LILI-ANN HACKETT-RALPH, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO CONVERT AN EXISTING DETACHED GARAGE INTO A GUEST COTTAGE IN THE R-1AA (SINGLE-FAMILY RESIDENTIAL DISTRICT); (LILI-ANN HACKETT-RALPH, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

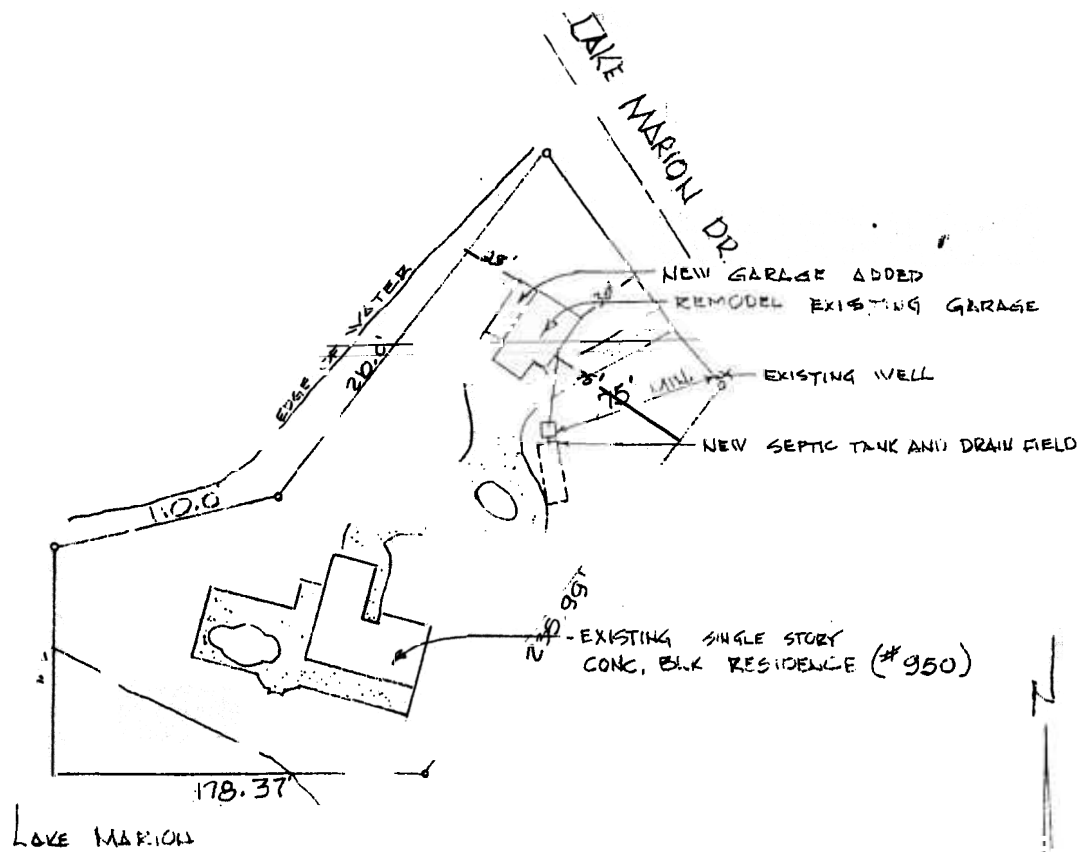
(District 4 - Henley)

(Francisco Torregrosa, Planner)

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| GENERAL INFORMATION | <table> <tr> <td data-bbox="483 1319 711 1361">APPLICANT:</td><td data-bbox="711 1319 1351 1361">LILI-ANN HACKETT-RALPH</td></tr> <tr> <td data-bbox="483 1361 711 1404">LOCATION:</td><td data-bbox="711 1361 1351 1404">950 LAKE MARION DRIVE</td></tr> <tr> <td data-bbox="483 1404 711 1521">ZONING:</td><td data-bbox="711 1404 1351 1521">R-1AA (SINGLE-FAMILY RESIDENTIAL DISTRICT)</td></tr> </table> | APPLICANT: | LILI-ANN HACKETT-RALPH | LOCATION: | 950 LAKE MARION DRIVE | ZONING: | R-1AA (SINGLE-FAMILY RESIDENTIAL DISTRICT) |
| APPLICANT: | LILI-ANN HACKETT-RALPH | | | | | | |
| LOCATION: | 950 LAKE MARION DRIVE | | | | | | |
| ZONING: | R-1AA (SINGLE-FAMILY RESIDENTIAL DISTRICT) | | | | | | |
| BACKGROUND / REQUEST | <ul style="list-style-type: none"> • THE SUBJECT PROPERTY IS LOCATED IN THE R-1AA DISTRICT, WHERE GUEST COTTAGES ARE ALLOWED ONLY AS CONDITIONAL USES UPON APPROVAL OF A SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT. • THE APPLICANT THEREBY REQUESTS A SPECIAL EXCEPTION TO ALLOW THE CONVERSION OF AN EXISTING DETACHED GARAGE INTO A GUEST COTTAGE. • THE APPLICANT PROPOSES TO LATER BUILD A COMPLIANT GARAGE AS AN ADDITION TO THE EXISTING SINGLE-FAMILY HOME. | | | | | | |

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| ZONING & FLU | DIRECTION | EXISTING ZONING | EXISTING FLU | USE OF PROPERTY |
| | SITE | R-1AA | LDR | SINGLE-FAMILY |
| | NORTH | R-1AA | PUBLIC | RETENTION |
| | SOUTH | R-1AA | LDR | SINGLE-FAMILY |
| | EAST | R-1AA | LDR | SINGLE-FAMILY |
| | WEST | R-1AA | LDR | SINGLE-FAMILY |
| STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2) | THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED: | | | |
| | <u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u> | | | |
| | THE PROPOSED USE WOULD BE ESTABLISHED WITHIN AN EXISTING DETACHED GARAGE AS AN ACCESSORY USE TO THE PRINCIPAL SINGLE-FAMILY USE. IT WOULD THEREFORE BE CONSISTENT WITH LOW DENSITY SINGLE-FAMILY DEVELOPMENT AND COMPATIBLE WITH THE CHARACTER OF THE AREA. | | | |
| | <u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u> | | | |
| | AS EXPLAINED IN THE ATTACHED LETTER DATED OCTOBER 5, 2003, THE PROPOSED USE WOULD NOT BE PERMANENTLY OCCUPIED. IT WOULD BE USED FOR THE INTERMITTENT OR TEMPORARY OCCUPANCY OF FRIENDS AND FAMILY, WHO WOULD VISIT THE APPLICANT FOR HOLIDAYS AND SPECIAL OCCASIONS. | | | |
| | <u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u> | | | |
| | A SINGLE-FAMILY GUEST COTTAGE WOULD BE CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN'S DESIGNATION OF LOW DENSITY RESIDENTIAL FUTURE LAND USE (FLU) FOR THE SUBJECT PROPERTY. | | | |
| | <u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u> | | | |
| | BASED ON THE SUBMITTED SITE PLAN, THE EXISTING DETACHED ACCESSORY GARAGE WOULD ADHERE TO THE MINIMUM DIMENSIONAL STANDARDS OF THE R-1AA | | | |

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| | <p>DISTRICT.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>WITH THE IMPOSITION OF THE RECOMMENDED CONDITIONS, STAFF DOES NOT BELIEVE THE PROPOSED USE WOULD ADVERSELY AFFECT THE PUBLIC INTEREST.</p> |
| STAFF FINDINGS | <ul style="list-style-type: none">• THE LAND DEVELOPMENT CODE DEFINES A GUEST HOUSE OR COTTAGE AS A DETACHED ACCESSORY BUILDING LOCATED ON THE SAME PREMISES OF A MAIN RESIDENTIAL BUILDING, INTENDED FOR INTERMITTENT OR TEMPORARY OCCUPANCY BY A NONPAYING GUEST, AND WHICH HAS NO COOKING FACILITIES AND IS NOT RENTED.• THE PROPOSED CONVERSION OF THE EXISTING DETACHED GARAGE INTO A GUEST COTTAGE WOULD NOT ADVERSELY AFFECT THE CHARACTER OF NEIGHBORHOOD DEVELOPMENT WITH THE IMPOSITION OF STAFF'S RECOMMENDED CONDITIONS, SINCE NO IMPROVEMENTS ARE PLANNED FOR THE STRUCTURE OTHER THAN INTERNAL BUILDING MODIFICATIONS. |
| STAFF RECOMMENDATION | <p>STAFF RECOMMENDS APPROVAL OF THE SPECIAL EXCEPTION BASED ON THE STATED FINDINGS AND SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ol style="list-style-type: none">1. THE FINAL SITE PLAN FOR THE PROPOSED GUEST COTTAGE SHALL MEET ALL APPLICABLE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN REGULATIONS.2. THE EXISTING GARAGE SHALL BE USED AS A GUEST HOUSE OR COTTAGE AND SHALL REMAIN ACCESSORY TO THE PRINCIPAL USE, AS DEFINED BY THE SEMINOLE COUNTY LAND DEVELOPMENT CODE.3. OCCUPANCY SHALL BE LIMITED TO INTERMITTENT OR TEMPORARY USE BY A NONPAYING GUEST AND SHALL NOT BE RENTED.4. NO INTERNAL COOKING FACILITIES SHALL BE PROVIDED. |

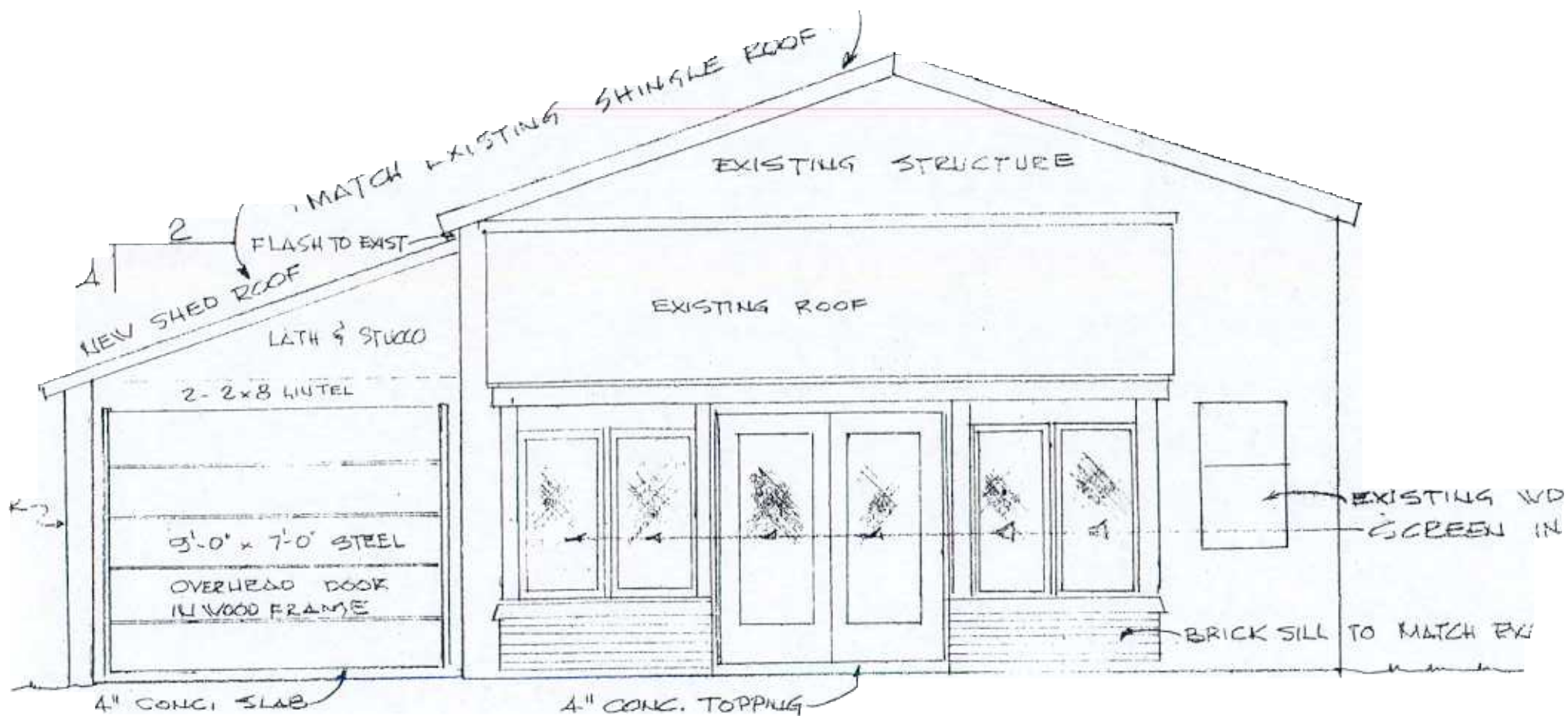


SITE PLAN

1" CONC. SLAB UNDER
A/C COMPRESSOR

ENERGY CALCULATIONS:
NOT APPLICABLE FOR GARAGE
ADDITION

WIND LOAD:
PROJECT DEEMED IN
COMPLIANCE WITH 110 MPH
WIND LOAD.



ELEVATION

1/4

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**SPECIAL EXCEPTION
APPLICATION TO THE SEMINOLE COUNTY
BOARD OF ADJUSTMENT**

APPLICANT: LILI-ANN HACKETT-RAUPH
COMPLETE MAILING ADDRESS: 950 LAKE MARION DRIVE, ALTAMONTE SPRGS
PHONE: WORK: _____ HOME: 407 389 1805 FAX: _____
CELL PHONE: _____ Email: MINI-MERCURY@EARTHLINK.NET
PROPERTY OWNER OF RECORD: SAME
SITE OF REQUEST: SAME
REQUEST: Special exception to convert existing accessory bldg. to guest cottage
SOURCE OF WATER AND SEWER SERVICE: Well And septic
LEGAL DESCRIPTION OF PROPERTY: (See attached Property appraiser report)

TAX PARCEL I.D. 12-21-29-580-3800-0010
GENERAL LOCATION (Directions): Southwest of Lake Marion Drive, approximately 200 feet
southeast of the intersection of Lake Marion Drive and Charlotte St.
KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: NONE

CURRENT USE OF PROPERTY: Single Family Dwelling

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:

Submit ten (10) site plans and one (1) reduced 11" X 17" copy of the site plan. A completed Concurrency Review Application. A letter of authorization from the property owner if applicant is not the owner and application fee.

SIGNATURE OF APPLICANT: Lili-Ann Hackett-Rauph DATE 8/28/03

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|---|------------------------------------|
| FOR OFFICE USE ONLY | |
| FEE: <u>370⁰⁰</u> / <u>130</u> CC _____ / _____ DATE _____ ZONING DISTRICT: <u>R-1AA</u> | |
| FURTHER DESCRIBED AS: <u>(See above)</u> | |
| LOT SIZE: _____ | |
| PROCESSING: | |
| A. LEGAL AD TO NEWSPAPER _____ / _____ | B. NOTICE TO PROPERTY OWNERS _____ |
| C. PLACARDS / NOTICE _____ / _____ | D. PROJECT NO. <u>03-32000034</u> |
| E. BOARD ACTION / DATE _____ / _____ | F. LETTER TO APPLICANT _____ |

PLANNER ERM

DISTRICT: 4-Henley

FILE NO. 852003-024

MEETING DATE 10-27-03

LILI-ANN HACKETT-RALPH
950 LAKE MARION DRIVE
ALTAMONTE SPRINGS
FLORIDA 32701

PHONE NUMBER 407 389 1805

October 5, 2003

Dear Neighbor .

We moved into the above address some 18 months ago now, since moving in we have done a lot of work to the place, we have put plans in to turn the spare garage into an apartment, mainly for the use of my friends and family coming to stay from over seas, I am from Oxford England, I have a Son and three grandchildren, who are planning to come for a holiday here next year,

Soon you will receive a letter from the County informing you of the changes that I want to make to the property, I hope that you have no objections, there is a public hearing on the 27th October, which you are welcome to attend, I'm sure the information will be in your letter. You are also very welcome to come and see what we have done and planning to do to the place, any time,

If you have no objections to our plans would you please sign at the bottom of this letter.

Many thanks for your co-operation

Lili-ann Hackett-Ralph

Lili-ann

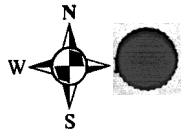
Gary Bushnell 937 Lake Marion Dr.

Gary Bushnell

Robert Cull 929 Lake Marion

Inge Mueller 936 Lake Marion

Susan Burrill 1414 Charlotte St



Lili-Ann Hackett-Ralph
950 Lake Marion Drive



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 1 + BEG MOST NLY COR LOT 1 RUN N 36 DEG W 85 FT S 37 DEG 5 MIN
W 210 FT S

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owners: LILI-ANN HACKETT-RALPH
950 LAKE MARION DR
ALTAMONTE SPRINGS 32701

Project Name: 950 LAKE MARION DR

Requested Development Approval:

REQUEST FOR SPECIAL EXCEPTION FOR THE CONVERSION OF DETACHED GARAGE INTO A GUEST COTTAGE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: FRANCISCO TORREGROSA
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property:

- A) THE FINAL SITE PLAN FOR THE PROPOSED GUEST COTTAGE SHALL MEET ALL APPLICABLE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN REGULATIONS.
- B) THE EXISTING GARAGE SHALL BE USED AS A GUEST HOUSE OR COTTAGE AND SHALL REMAIN ACCESSORY TO THE PRINCIPAL USE, AS DEFINED BY THE SEMINOLE COUNTY LAND DEVELOPMENT CODE.
- C) OCCUPANCY SHALL BE LIMITED TO INTERMITTENT OR TEMPORARY USE BY A NONPAYING GUEST AND SHALL NOT BE RENTED.
- D) NO INTERNAL COOKING FACILITIES SHALL BE PROVIDED.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: